

1 ROBBINS GELLER RUDMAN
2 & DOWD LLP
3 SHAWN A. WILLIAMS (213113)
JOHN H. GEORGE (292332)
3 One Montgomery Street, Suite 1800
San Francisco, CA 94104
4 Telephone: 415/288-4545
415/288-4534 (fax)
5 shawnw@rgrdlaw.com
jgeorge@rgrdlaw.com
6

7 LABATON SUCHAROW LLP
MICHAEL P. CANTY (*pro hac vice*)
CORBAN S. RHODES (*pro hac vice*)
8 140 Broadway
New York, NY 10005
9 Telephone: 212/907-0700
212/818-0477 (fax)
10 mcanty@labaton.com
crhodes@labaton.com
11

12 Attorneys for Plaintiffs

13 [Additional counsel appear on signature page.]

EDELSON PC
JAY EDELSON (*pro hac vice*)
BENJAMIN RICHMAN (*pro hac vice*)
ALEXANDER G. TIEVSKY (*pro hac vice*)
350 North LaSalle Street, 14th Floor
Chicago, IL 60654
Telephone: 312/589-6370
312/589-6378 (fax)
jedelson@edelson.com
brichman@edelson.com
atievsky@edelson.com

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 In re FACEBOOK BIOMETRIC) Master File No. 3:15-cv-03747-JD
INFORMATION PRIVACY LITIGATION)
18 _____) CLASS ACTION
19 This Document Relates To:) JOINT REQUEST FOR EXTENSION
20 ALL ACTIONS.)
21
22
23
24
25
26
27
28

1 The parties hereby jointly request an extension of time, to and including April 17, 2020, to
2 file a motion for preliminary approval of the proposed class action settlement in this action. In
3 support of their request, they state as follows:

4 1. On February 6, 2020, the parties advised the Court that they expected to file a
5 preliminary approval motion by March 12, 2020. The parties have been working diligently
6 (including through weekends) to meet that deadline, however, they require additional time in order
7 for Facebook to provide plaintiffs with certain information necessary to implement the settlement.
8 Specifically, Facebook is compiling the data necessary for the parties to evaluate class
9 membership, in order to both enable class notice and process claims.

10 2. While this process for delivering class notice had begun when the Court ordered
11 notice in May 2018 (ECF No. 390), it was put on hold after the Ninth Circuit Court of Appeals
12 stayed the matter on Facebook's emergency motion and the data needed to be re-run in any event.
13 Additionally, the parties are working through the optimal parameters for claims notice, which may
14 not be identical to the previously determined parameters for trial notice. Due to the quantity and
15 complexity of the data involved, Facebook's engineers estimate they will require two to three more
16 weeks to compile the necessary data and vet its accuracy. After that, Class Counsel will require
17 additional time to evaluate the accuracy of the information provided by Facebook. The parties
18 request this extension in part because they anticipate these tasks will take longer than is usual in
19 light of the fact that many individuals, including most Facebook employees, are currently working
20 remotely as a precaution against the spread of the novel coronavirus.

21 3. The parties have made significant progress with the drafting of the settlement
22 agreement, the settlement notices, and the preliminary approval briefing, such that once the above
23 work is complete, the parties do not anticipate it will take long to finalize these documents. Several
24 drafts of the settlement agreement have been exchanged between the parties, they have participated
25 in several productive conference calls, and they are close to agreement on specific language on the
26 few remaining issues left to be resolved.

27

28

1 **WHEREFORE**, the parties jointly request that the Court permit until April 17, 2020, to
2 file a motion for preliminary approval of the settlement.

3 DATED: March 11, 2020

4 ROBBINS GELLER RUDMAN
5 & DOWD LLP
6 SHAWN A. WILLIAMS
7 JOHN H. GEORGE

8 s/ Shawn A. Williams
9 SHAWN A. WILLIAMS

10 Post Montgomery Center
11 One Montgomery Street, Suite 1800
12 San Francisco, CA 94104
13 Telephone: 415/288-4545
14 415/288-4534 (fax)

15 ROBBINS GELLER RUDMAN
16 & DOWD LLP
17 PATRICK J. COUGHLIN
18 LUCAS F. OLTS
19 655 West Broadway, Suite 1900
20 San Diego, CA 92101
21 Telephone: 619/231-1058
22 619/231-7423 (fax)

23 ROBBINS GELLER RUDMAN
24 & DOWD LLP
25 PAUL J. GELLER*
26 STUART A. DAVIDSON*
27 CHRISTOPHER C. GOLD*
28 120 East Palmetto Park Road, Suite 500
29 Boca Raton, FL 33432
30 Telephone: 561/750-3000
31 561/750-3364 (fax)

32 LABATON SUCHAROW LLP
33 MICHAEL P. CANTY*
34 CORBAN S. RHODES*
35 140 Broadway
36 New York, NY 10005
37 Telephone: 212/907-0700
38 212/818-0477 (fax)

39 EDELSON PC
40 JAY EDELSON*
41 350 North LaSalle Street, 14th Floor
42 Chicago, IL 60654
43 Telephone: 312/589-6370
44 312/589-6378 (fax)

1 EDELSON PC
2 RAFEY BALABANIAN*
3 123 Townsend Street, Suite 100
4 San Francisco, CA 94107
Telephone: 415/212-9300
415/373-9435 (fax)

5 Attorneys for Plaintiffs
* = appearance *pro hac vice*

6 DATED: March 11, 2020

7 COOLEY LLP
8 MICHAEL G. RHODES
WHITTY SOMVICHIAN

9
10 s/ Michael G. Rhodes
MICHAEL G. RHODES

11 101 California Street, 5th Floor
12 San Francisco, CA 94111-5800
13 Telephone: (415) 693-2000
Facsimile: (415) 693-2222

14 Attorneys for Defendants

15 **ATTESTATION**

16 I, Shawn A. Williams, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3), that
17 concurrence to the filing of this document has been obtained from each signatory.

18 * * *

19
20 **O R D E R**

21 IT IS SO ORDERED.

22 DATED: _____ THE HONORABLE JAMES DONATO
23
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on March 11, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ SHAWN A. WILLIAMS
SHAWN A. WILLIAMS

ROBBINS GELLER RUDMAN
& DOWD LLP
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)
E-mail: shawnw@rgrdlaw.com

Mailing Information for a Case 3:15-cv-03747-JD In re Facebook Biometric Information Privacy Litigation**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Rafey Sarkis Balabanian**
rbalabanian@edelson.com,docket@edelson.com
- **Randi D. Bandman**
randib@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **James E Barz**
jbarz@rgrdlaw.com
- **Joel H. Bernstein**
jbernstein@labaton.com,JGardner@labaton.com,kgutierrez@labaton.com,cvillegas@labaton.com,RKamhi@labaton.com,1375722420@filings.docketbird.com,electro
- **Michael P. Canty**
mcanty@labaton.com,lpina@labaton.com,7677707420@filings.docketbird.com,fmalonzo@labaton.com,acarpio@labaton.com,electroniccasefiling@labaton.com
- **Albert Y. Chang**
achang@bottinilaw.com,sammirati@bottinilaw.com
- **Vincent Connelly**
vconnelly@mayerbrown.com,courtnotification@mayerbrown.com
- **Patrick J. Coughlin**
PatC@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Stuart Andrew Davidson**
sdavidson@rgrdlaw.com,jdennis@rgrdlaw.com,e_file_sd@rgrdlaw.com,e_file_fl@rgrdlaw.com,sdavidson@ecf.courtdrive.com
- **Mark Dearman**
mdearman@rgrdlaw.com,e_file_sd@rgrdlaw.com,MDearman@ecf.courtdrive.com,e_file_fl@rgrdlaw.com
- **Mark J. Dearman**
mdearman@rgrdlaw.com
- **Jay Edelson**
jedelson@edelson.com,docket@edelson.com
- **Amanda M. Frame**
aframe@rgrdlaw.com
- **Paul J. Geller**
pgeller@rgrdlaw.com,swinkles@rgrdlaw.com,e_file_fl@rgrdlaw.com
- **Paul Jeffrey Geller**
pgeller@rgrdlaw.com
- **John Hamilton George**
jgeorge@rgrdlaw.com
- **Christopher Chagas Gold**
cgold@rgrdlaw.com,CGold@ecf.courtdrive.com,jdennis@rgrdlaw.com,e_file_sd@rgrdlaw.com,e_file_fl@rgrdlaw.com
- **Lauren R Goldman**
lrgoldman@mayerbrown.com,gtmiller@mayerbrown.com,5357426420@filings.docketbird.com,TStruwe@mayerbrown.com,courtnotification@mayerbrown.com,jma
- **Ellen Anne Gusikoff-Stewart**
elleng@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Jeffrey Gutkin**
gutkinjm@cooley.com,eFilingNotice@cooley.com,carol-dickerson-7279@ecf.pacerpro.com,john-brocales-7263@ecf.pacerpro.com,efiling-notice@ecf.pacerpro.com
- **Frank S Hedin**
fhedin@hedinhall.com
- **Lily E. Hough**
lhough@edelson.com,docket@edelson.com
- **Ross M Kamhi**
rkamhi@labaton.com,8349713420@filings.docketbird.com,lpina@labaton.com,electroniccasefiling@labaton.com
- **David Philip Milian**
DMilian@CareyRodriguez.com,ecf@careyrodriguez.com
- **John Nadolenco**
jnadolenco@mayerbrown.com,los-docket@mayerbrown.com,jaustgen@mayerbrown.com,tstruwe@mayerbrown.com,gtmiller@mayerbrown.com,srhernandez@mayerbrown.com,cgarcia@mayerbrown.

- **Alexander Nguyen**
anguyen@edelson.com,docket@edelson.com
- **Richard E Nowak**
rnowak@mayerbrown.com,8637213420@filings.docketbird.com
- **Lucas F. Olts**
Lolts@grdlaw.com,e_file_sd@grdlaw.com,LOlts@ecf.courtdrive.com
- **Archis A. Parasharami**
aparasharami@mayerbrown.com
- **Archis Ashok Parasharami**
aparasharami@mayerbrown.com,4085092420@filings.docketbird.com,wdc.docket@mayerbrown.com
- **Matthew David Provance**
mprovance@mayerbrown.com,courtnotification@mayerbrown.com
- **Michael E Rayfield**
mrayfield@mayerbrown.com
- **Corban S Rhodes**
crhodes@labaton.com,lpina@labaton.com,3936743420@filings.docketbird.com,sauer@labaton.com,electroniccasefiling@labaton.com
- **Michael Graham Rhodes**
rhodesmg@cooley.com,eFilingNotice@cooley.com,carol-dickerson-7279@ecf.pacerpro.com,john-brocales-7263@ecf.pacerpro.com,emortensen@cooley.com,efiling-notice@ecf.pacerpro.com,cdickerson@cooley.com
- **Benjamin Harris Richman**
brichman@edelson.com,docket@edelson.com
- **Frank Anthony Richter**
frichter@grdlaw.com
- **Whitty Somvichian**
wsomvichian@cooley.com,john-brocales-7263@ecf.pacerpro.com,efiling-notice@ecf.pacerpro.com,swarren@cooley.com
- **Lawrence A. Sucharow**
lsucharow@labaton.com,lpina@labaton.com,electroniccasefiling@labaton.com
- **Alexander Glenn Tieovsky**
atieovsky@edelson.com,docket@edelson.com
- **Lesley Elizabeth Weaver**
lweaver@bfalaw.com,emily-aldrige-5965@ecf.pacerpro.com,lesley-weaver-4669@ecf.pacerpro.com
- **Shawn A. Williams**
shawnw@grdlaw.com,ShawnW@ecf.courtdrive.com,smorris@grdlaw.com,kmccarty@grdlaw.com,e_file_sd@grdlaw.com,SAlexander@grdlaw.com,smorris@ecf.
- **Mark R Winston**
mwinston@labaton.com,kgutierrez@labaton.com,electroniccasefiling@labaton.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Vincent J. Connelly

Mayer Brown LLP
71 South Wacker Drive
Chicago, IL 60606

Facebook Inc.

Cooley LLP
3000 El Camino Real
Five Palo Alto Square
Palo Alto, CA 94306-2155